

Meeting Minutes  
March 8, 2005

Town of Los Altos Hills  
City Council Special Meeting

Tuesday, March 8, 2005 6:30P.M.

Bullis School Multi-Purpose Room, 25890 Fremont Road

1. CALL TO ORDER, ROLL CALL AND PLEDGE OF ALLEGIANCE

Present: Mayor Mike O'Malley, Mayor Pro Tem Breene Kerr, Councilmember Craig A. T. Jones, Councilmember Jean Mordo and Councilmember Dean Warshawsky

Absent: None

Staff: City Manager Maureen Cassingham, City Attorney Steve Mattas, Planning Director Carl Cahill, Acting City Engineer/Public Works Director Dave Ross, Associate Engineer John Chau and City Clerk Karen Jost

MOTION SECONDED AND CARRIED: Moved by Warshawsky, seconded by Kerr and passed unanimously to limit the length of time for public comments to three minutes.

2. PRESENTATIONS FROM THE FLOOR

Patty Ciesla, Moody Court, reported that in conjunction with the Habitat Restoration Project in Byrne Preserve, she had been removing french broom plants. She had pulled approximately 3,000-5,000 plants. This would allow native plants to revegetate the area.

Robert Beese, La Cresta Drive, (Pathway B2.27) stated that he purchased his residence for the privacy and security and did not want the proposed path next to his home. He believed that the path would devalue his property and wanted to know who would compensate him for his loss.

3. PUBLIC HEARINGS

3.1 PROPOSED GENERAL PLAN AMENDMENT TO REVISE THE TOWN MASTER PATH PLAN AND REVIEW OF NEGATIVE DECLARATION; TOWN WIDE LOS ALTOS HILLS

PROPOSED RESOLUTION OF THE CITY COUNCIL OF THE TOWN OF LOS ALTO HILLS TO UPDATE AND AMEND THE MASTER PATH PLAN OF 1981

Mayor O'Malley summarized the meeting format for the review process of the revised master path plan. He explained that Council, at tonight's meeting, would finalize the proposed revisions of the 1981 pathways map in accordance with the General Plan. The Council is tasked with periodically reviewing and updating the map and this was the first such update since the map was adopted in 1981. For this review process, due to the enormity of the task and to keep the process in manageable segments, Council would only be addressing off-road paths and not considering on-road paths and easements, which would be reviewed at a future date. O'Malley noted that Council would not consider the removal of any existing off-road paths at this meeting and requested the audience limit their comments to the proposed paths due to the potential length of the meeting and the considerable number of residents in attendance who wished the opportunity to speak on tonight's meeting subject. He clarified that although the removal of existing easements was not part of this review process, it did not reflect that the Town was relinquishing the right to the easements that are considered assets to the community and noted that any such request for a removal of an easement must be processed through the appropriate channels.

O'Malley thanked the Pathways Committee for their efforts and dedication over the past two years noting that hundreds of volunteer hours had been committed to the update of the path map. He asked Councilmember Warshawsky, Council Liaison to the Pathways Committee to provide insight into the process.

Councilmember Warshawsky voiced his appreciation to the Committee and offered kudos to them for their effort in generating the final version of their recommendations. He noted that the Committee had been very inclusive during the review process, holding numerous public meetings, neighborhood walks and visits to the path sites. Warshawsky offered that the update process had been attempted before, but that this group had managed to bring it to fruition and he credited the objectivity of the process that had incorporated community input. He spoke to the eclectic mix of the Committee that provided a good balance of opinions about paths including strong property rights proponents and those that cherish the Town's pathways system. He recognized Committee Chair Chris Vargas and the eleven Committee members and introduced the membership.

Mayor O'Malley additionally thanked the Map Committee, Planning Commission and Town staff explaining that each had played a crucial role in the review process. He gave special acknowledgement to staff member John Chau, Associate Engineer, for his help with the exhibits and numerous map iterations.

Mayor O'Malley explained that the Council meeting would follow the same format that was used at the Planning Commission's Public Hearing on the path map: segments would be reviewed individually; Pathways Committee Chair Chris Vargas would comment on the justification for each path recommendation; Planning Commissioner Chair Bill Kerns would offer the rationale for the Commission's decisions if it differed from the Committee's recommendation; and public input would be taken for each segment with time limits of three minutes for each speaker and if the audience member was speaking on multiple segments a time limit of two minutes would be imposed.

Mayor O'Malley polled the audience to identify which section had the highest number of public in attendance that wished to speak noting that the segments would be reviewed in that order.

Les Earnest, 12769 Dianne Drive, addressed Council. He had three questions regarding the process: 1) did the plan consist of the map and the spreadsheet, 2) when would the De Anza trail be considered, and 3) would the email that he had sent to Council that identified errors in the map be addressed at tonight's meeting?

Planning Director Carl Cahill explained the spreadsheet would be an exhibit to the map. Council moved forward with the public hearing.

Council briefly discussed the De Anza trail alignment that was identified on the Draft path map. There was consensus to delete the De Anza trail alignment from the draft map and return it to the Pathways Committee for further consideration.

#### **SECTION (Study Zone)14**

Chris Vargas, Pathways Chair, identified this area as the Hidden Villa to Rancho San Antonio zone. The Committee had walked the area and taken input from the residents. Vargas explained that the Committee identified the need for alternate routes into Rancho San Antonio and after much discussion and input from the Community, they had focused on proposed routes from Hidden Villa identified on the map by blue arrows (B4.1, B4.2). The Committee had also voted by a narrow margin to retain two additional routes (B3.28, B3.30). The Planning Commission had felt that these were unnecessary due to traffic issues and the difficulty in controlling public access into the neighborhoods. Vargas concluded that before Council was the recommendation to retain alternate routes into Rancho San Antonio through Hidden Villa but not using the routes through residential areas.

Bill Kerns, Planning Commission Chair, concurred with Vargas noting that the Planning Commissioners were recommending the elimination of two connections (B3.28, B3.30) because of parking, safety and erosion concerns and were recommending the retention of potential future connections into Rancho San Antonio from Hidden Villa (B4.1, B4.2).

#### **OPENED PUBLIC HEARING**

Patty Ciesla, 27150 Moody Court, expressed support for retaining connector B3.28. She opposed shifting the responsibility to Hidden Villa for a path into Rancho San Antonio.

Chris Vargas explained that the Pathways Committee had voted to keep the loop however during discussions at the Planning Committee, it was determined that it did not satisfy any of the requirements in the Path Element for paths that included: connecting cul-de-sacs, connecting neighborhoods or leading to a public space.

Nancy Ewald, resident, voiced her support for retaining an additional access into Rancho San Antonio. She was concerned that Hidden Villa might change in the future and there would be no other options for a connector. Ewald encouraged Council to also consider equestrian use as well as pedestrian use when reviewing the paths.

Betty Kerns, 11888 Francemont, spoke on behalf of the residents and homeowners on Francemont, Adobe Creek and Murietta. She explained that there was a one hundred (100) percent participation in a petition opposing any new trailheads in their neighborhood. Kerns offered that paths should be for local residents and not provide access into Rancho San Antonio for non-residents citing concerns of traffic, parking and safety. She asked the Council to support the Planning Commissions recommendation to eliminate B3.28 and B3.30.

Bob Stutz, Pathways Committee, said there was an historical equestrian trail in the area being discussed and he believed it was a valuable asset and should not be relinquished.

Steve Boboricken, 11870 Francemont, commented that he had resided in the area for thirty years and that it was a haven for wildlife. He encouraged the Council to leave the habitat natural and for the wildlife.

Nancy Benjamin, 11969 Murietta Lane, speaking on path B4.3, distributed a handout to Council of pictures representing the steepness of the terrain and existing drainage issues that resulted from natural springs. She explained that pipes had been installed to protect the drainage and the proposed path would be over the pipes. She implored the Council to approve paths that would help the neighborhood not endanger the property and residents.

Les Earnest, Dianne Drive, did not believe that there was any problem of instability with the existing trail and noted that it was a beautiful path and gorgeous trail system.

Shari Emling, Murietta, commented that she was a long time resident and her children had ridden horses in the area but she disagreed that the historical trail was located on Murietta ridge and suggested it was farther down the road. She supported designating the area as a wildlife refuge and noted that the path had been designated for removal in 1979 because of it's steepness.

Chris Vargas, Templeton Place speaking as a resident, agreed that this was a spectacular area but that it was plagued with two problems that he believed were insurmountable: 1) parking and 2) erosion. He offered that the responsible alternative to accessing Rancho San Antonio was through Hidden Villa not through a neighborhood path.

Ms. Yang, 11991 Murietta Lane, expressed her concern with non-residents roaming the area and the many potential problems that would accompany a path in this area.

Russell Hirsch, 11880 Francemont, voiced his opposition to any new trailheads. He was concerned with potential traffic congestion problems on Moody Road, related safety issues for bicyclists on Moody Road, the geological impact and erosion in the area that could result from the trail and the increased threat of fire.

Steve MacDonald, 11800 Francemont, provided Council with a description of his street. He noted that it was a very short street and that there was an easement with an existing path on his property that in one area was only ten feet from his residence. MacDonald offered that there was a redwood grove in the rear of his property that was often used by teenagers for illegal parties. He was concerned that if Francemont were to become a

trailhead it would be a parking lot on the weekends and would increase traffic on his path.

Jane Mark, Park Planner with the Santa Clara Parks and Recreation Department, addressed Council. She requested that the Council include the County, National Park Service and Mid Peninsula Open Space when they consider the De Anza trail alignment.

Mayor O'Malley thanked Mark for attending and offered that they would be apprised when the discussions on the De Anza trail were scheduled.

#### CLOSED PUBLIC HEARING

Mayor O'Malley noted that Council was considering the acceptance of the Pathways Committee and Planning Commission recommendations for Section 14 with discussion of B4.4, B4.3, B3.31, B3.30 and B3.28-essentially the connections from Adobe Creek, Murietta and Francemont into the Town's Open Space and Rancho San Antonio.

Councilmember Mordo had no opposition to removing B4.3, B3.28 and B3.30 as trailheads/connectors but supported retaining the loop until a route was identified. Mordo suggested using an existing Town-owned property on the corner of Rhus Ridge and Moody as a parking lot to alleviate the congestion problem at the existing trailhead.

Mayor Pro Tem Kerr explained that there was an existing proposal to improve the parking at the Moody Road path and this would be visited by Council in the near future. Kerr suggested that if Hidden Villa did grant parking to the Town, then Council would revisit a connection through Murietta Ridge properties to the Town's Open Space and Midpeninsula Open Space Lands. He agreed that at this time, the loop as shown on the map (2/10/2005 Version 3) was of little benefit and he would accept the Planning Commission's recommendation to remove it.

Councilmember Warshawsky concurred that he would support revisiting the connectors to Rancho San Antonio in the event that Hidden Villa granted parking but at this time he concurred with the Planning Commission's recommendations for Section 14, adding that he believed there were very real privacy issues and potential trail heads would be very disruptive to the neighborhoods.

Councilmember Jones voiced his support for acceptance of the Planning Commission's recommendations for Section 14 and felt it was an appropriate response to the wishes of the residents.

Mayor O'Malley concurred with the Planning Commission's recommendation and cited the disruptive nature of trailheads and his belief that the wildlife in the area should be left alone as key factors in making his decision.

**MOTION SECONDED AND CARRIED:** Moved by Warshawsky, seconded by Jones and passed by the following roll call vote to approve Section (Study Zone) 14 as recommended by the Planning Commission.

AYES: Mayor O'Malley, Mayor Pro Tem Kerr, Councilmember Jones,  
Councilmember Mordo and Councilmember Warshawsky  
NOES: None  
ABSENT: None  
ABSTAIN: None

### **SECTION (Study Zone) 2**

Chris Vargas, Pathways Chair, explained that there were two areas in this section that had drawn the most interest. First, A1.1 where the goal was to eventually connect Saddle Mountain to Elena Road. Vargas noted that A1.1 was a good and nonintrusive path but that A1.2 currently specified on the Master Plan, was not good due to privacy issues, vegetation and steepness. The Pathways Committee preferred A1.3b because it was a grassy knoll between two properties. He suggested there were other alternative routes that could be considered to complete this path. The second area that had received the most resident input was B1.8. The Pathways Committee had not made a recommendation on this path, however, the Planning Commission, had recommended removal of the path.

Vargas reviewed the proposed future path alignments noted in this section with Council.

### **OPENED PUBLIC HEARING**

Harry Price, 24616 Summerhill Avenue, spoke on behalf of the Masuda's who reside at 14313 Saddle Mountain and whose property is surrounded by three paths. He requested Council support for the Planning Commission's recommendation to remove A1.2. In addition, Price asked the Council to consider removing A1.3b and to revisit alternative connectors at a future date. Price noted that the Masuda's did not oppose A1.1 but felt that their property was unfairly impacted with paths on both sides of the property. He distributed a petition with signatures supporting his position and a map of the property.

Terrie Masuda, 14313 Saddle Mountain Drive, read a statement into the record opposing the February 10, 2005 version of the path map. She explained that she was speaking on behalf of twenty-nine residents who resided on Stirrup Drive, Saddle Mountain Drive and Saddle Court. Masuda requested removal of A1.2, a portion of A1.3a and A1.3b. She did not believe any additional paths were necessary in the area because public access to Saddle Mountain Drive was already available and any additional path would be redundant.

Dot Schreiner, 14301 Saddle Mountain Drive, identified A1.1 as a wide easement through beautiful land. She believed that A1.3a and A1.2 were obtrusive paths and encouraged the Council to vote for their removal. Schreiner noted that A1.3b put the burden of two easements on the Masuda property and was unfair. She suggested that other alternatives be reviewed.

Ed Masuda, 14313 Saddle Mountain Drive, clarified for Council the alternative location (14321) that he believed would be a more appropriate site for the path.

Nancy Ewald, Pathways Committee, explained that B1.8 had been previously eliminated by a former Council and she could not explain why an alternative path was not accepted at that time. She supported removal of B1.8, noting that it had numerous safety issues including traffic. Ewald noted that A1.9 also had safety issues and was dangerous for pedestrians and equestrians and suggested locating a path on the opposite side of the creek where the properties were larger but the path would require a bridge.

Jeffrey Logan, 14250 Berry Hill Lane, requested consideration of the relocation of the pathway near his home to across Page Mill Road. He offered a petition of forty signatures that agreed with his request and explained that the map being considered by Council incorrectly designated his path as an on-road path and it was an off-road path.

Mayor O'Malley explained that Council was not considering the removal of existing paths during this review process and referred the request to the Pathways Committee.

Chris Vargas, Pathways Committee Chair, noted that their request for the paths relocation would be placed on the agenda for review by the Pathways Committee.

City Attorney Steve Mattas clarified that only items that were shown on the 2005 Off-Road Path Plan dated February 10, 2005 Version 3 could be considered by Council and new items should not be added to the map as part of the review process. Planning Director Carl Cahill explained that paths noted in green on the map are identified as being retained and were not noticed as being removed. He noted that these paths were existing paths being used by the public and property owners who were seeking any modifications or changes should be directed to the Pathways Committee for the initial review.

Chris Vargas, Pathways Chair, explained that a connector in the Saddle Mountain area was needed to make the "path work". He clarified that A1.3b would be located on the grassy knoll not on the driveway. Vargas described additional alternative connection options.

Patty Ciesla, Moody Court, encouraged Council to approve a trail that connected to Saddle Mountain around the Fenwick property.

Yen-Son Paul Huang, 27580 Arastradero Road, thanked the Council for their previous support to remove B1.8 and requested their acceptance of the Planning Commission's recommendation that also called for the elimination of the path. He explained that it was very dangerous and intrusive.

Sounan Lu, 27510 Arastradero Road, spoke in opposition to B1.8, explaining that he had small, school age children and was worried about their safety and had concerns of privacy. He explained that the Planning Commission and City Council had voted numerous times to remove this path and encouraged the Council to honor their prior commitments.

May Ip, 27520 Arastradero Road, supported the Planning Commissions recommendation to remove B1.8 and requested Council support for removal of connected segments A1.1, A1.2, and A1.3b.

Feng Yang, 27520 Arastradero Road, spoke in support of the Planning Commission's recommendation to remove path B1.8. He explained that it was very intrusive and redundant.

Sopia Huang, 27580 Arastradero Road, presented a petition to Council with thirty signatures of her surrounding neighbors in support of removal of B1.8, A.1, A.1.2 and A1.3b. She offered that they were redundant. Huang noted that she had paid path-in-lieu fees when she had developed her subdivision and completed approximately 1000 linear feet of paths that connect to Purissima Road and Saddle Mountain Road.

Carol Gottlieb, 24290 Summerhill Avenue, noted that the path had been shown on the 1981 Master Path Plan with arrows.

#### CLOSED PUBLIC HEARING

Mayor O'Malley poled the Council for any additional areas of discussion in Section 2. There were no additional items for discussion and Council discussion focused on A1.1, A1.3 and B1.8.

Mayor Pro Tem Kerr spoke in favor of retaining A1.3b and locating it on the grassy knoll. He opposed removing A1.1 and believed it would be beneficial if the Fenwick property were to be subdivided in the future. Kerr suggested that if Council voted to remove B1.8, that blue arrows be placed on the map indicating a future connector between Twin Oak Court and A1.1.

Councilmember Warshawsky requested direction from the City Attorney on how Council should address any suggestions or additional items that are not identified on the map before them. City Attorney Mattas clarified that additional items could be accumulated at tonight's meeting and referred to the Pathways Committee and Planning Commission for review and the proper noticing.

Councilmember Warshawsky supported the Planning Commission's recommendations for Section 2 and added that he would like to forward to the Planning Commission for further review locating arrows at the cul-de-sac.

Councilmember Jones voiced his support for the Planning Commission's recommendations for the section.

Councilmember Mordo offered that he had no issues with removing B1.8 and he favored A1.3b on the grassy knoll as the least obtrusive location. He supported the Planning Commission's recommendation for Section 2. Mordo questioned if it would be possible to realign A1.1 further away from Lot 6. Pathways Chair Chris Vargas noted that this alternative was worth exploration and it would be reviewed.

Mayor O'Malley spoke in favor the Planning Commission recommendations. He supported retention of A1.3b and removal of B1.8 and A1.2.

Following a brief discussion, Council consensus was to wait for the submittal of future development to revisit the addition of blue arrows to this section.



MOTION SECONDED AND CARRIED: Moved by Warshawsky, seconded by Kerr and passed by the following roll call vote to approve Section (Study Zone) 2 as recommended by the Planning Commission.

AYES: Mayor O'Malley, Mayor Pro Tem Kerr, Councilmember Jones,  
Councilmember Mordo and Councilmember Warshawsky  
NOES: None  
ABSENT: None  
ABSTAIN: None

### **SECTION (Study Zone) 17**

Chris Vargas, Pathways Chair noted that the most reviewed path in this Section was the D3.1, D3.2, D3.3. The design goal for the path was to serve as a connection from Miraloma to Hilltop and evidentially to Barley Hill. The Pathways Committee had voted to retain D3.1, D3.2 and D3.3 in the belief that all three could be useful and valuable. The Planning Commission had not agreed and did not believe that they were not necessary connections. Vargas added that the Committee still believed that a connection was needed between Miraloma and Hilltop. Vargas identified an alternative route through Miraloma to Hilltop that could be used as a connection that would be less obtrusive.

City Attorney Mattas explained that the Council could act on the rest of the map tonight and direct that segment back to the Pathways Committee and Planning Commission for study. It would then return to Council for consideration and approval as a further amendment to the Master Path Plan.

### **OPENED PUBLIC HEARING**

Susan Anderson-Norby, 12169 Hilltop Drive, concurred with the Planning Commission's recommendation and supported the deletion of D3.1, D3.2a, D3.3a and D3.3b noting that they were intrusive and redundant paths and the area was an animal refuge.

Emily Cheng, 25495 Voorhees Drive, explained that the Planning Commission had voted to remove the path on Voorhees Drive and encouraged the Council to honor their recommendation. She noted that the Pathways Committee had recommended a path on the private section of Voorhees Drive and she questioned the legality of this decision and expressed her belief that the path review process was too subjective. Cheng offered that the Pathways Committee's proposed off-road path was parallel to the existing on-road path and affected fifteen neighborhood properties that were in opposition to the path. She hoped the Council would give value to the neighbors' objections when making their decision.

Nancy Ewald, 26131 Altadena, Pathways Committee, explained that this Section had very few circulation routes. She understood that the neighbors were in opposition of the paths but supported the Council thinking to the future.

Carol Gottlieb, 24290 Summerhill Avenue, suggested that the Council consider the Circulation Element during this review process. She offered that there was not an off-

road path connecting her neighborhood to Saint Nicholas School and believed that the Voorhees/Mira Loma route was a good connecting path to the school. Gottlieb distributed a document to Council that she believed was part of the Clausen subdivision agreement and related to the private section of Voorhees Drive and the proposed path.

Chris Vargas, Pathways Chair, explained that it was important for Council to have an understanding of the philosophy the Committee had applied to the review process. They had felt it was critical to be consistent, reasonable and practical. Vargas explained that when the Committee reviewed this area, they found that it was probably the largest area in Town with limited connections and isolated cul-de-sacs. The Pathways Element specifies that cul-de-sacs "shall" be connected with pathways and they were interpreting the Element and attempting to be practical with their recommendation. He suggested that Council should first determine if they want to connect the seven cul-de-sacs along Miraloma, Hilltop and Barley Hill and then select a route that was the least invasive. Vargas favored his alternate route through Miraloma to Hilltop.

Planning Commission Chair Bill Kerns, summarized the Planning Commission's recommendation for this Section noting that it had been a split vote to remove D3.1, D3.2a and D3.3a. Privacy issues and the steepness of the site had been key factors in their decision. Kerns added that Voorhees was a private road without public access and there were concerns that people would continue on Voorhees once they came to the end of the public path. Kerns added that they had not reviewed the alternate route suggested by Vargas, but that it appeared to be a good solution to the problem with a less invasive path.

Al Trafficant, resident, stated that the position of the Saint Nicholas School Board was that they did not want anyone entering from the back of the School. Father Geary's most recent statement was that the Pathways Committee was the Town's business and he has never stated whether he wanted or did not want a path to the School.

Les Earnest, Dianne Drive, concurred with the Pathways Chair that a connection was needed in this area. He supported the removal of D3.2a, noting the steepness of the site.

Patty Ciesla, suggested that the Council should be considering a master path plan that could be used as the Town builds out in the future and for the next one hundred (100) years. She believed that people wanted choices and would enjoy a selection of different paths to use.

#### CLOSED PUBLIC HEARING

Councilmember Warshawsky explained as Council Liaison to the Pathways Committee, he had extensively reviewed the issues that were before Council tonight. He supported the Planning Commission's recommendation for Section (Study Zone) 17 and favored forwarding the alternate route suggested by Pathways Chair Vargas back to the Pathways Committee and Planning Commission for review.

Councilmember Jones concurred with Warshawsky on the removal of the paths identified in red noting their steepness and poison oak and supported forwarding the alternative path presented by Vargas to the Pathways Committee for review.

Councilmember Mordo supported exploring the alternative route suggested by Pathways Chair Vargas but would retain D3.1 and not use it until Voorhees became a public road.

Mayor Pro Tem Kerr favored further review of the alternative path identified by Chris Vargas and would retain D3.1.

Mayor O'Malley concurred that he would like the alternative route suggested by Vargas reviewed. He supported the Planning Commission's recommendation to eliminate D3.3 and D3.2 and noted that Council was not relinquishing any easements but they would no longer be shown as paths on the map and if in the future Voorhees became public, Council could revisit the issue.

**MOTION SECONDED AND CARRIED:** Moved by Kerrr, seconded by Warshawsky and passed by the following roll call vote to accept the Planning Commission's recommendation for Section (Study Zone) 17 with the exception of the red line beginning at Miraloma Way continuing to the bordering parcels 12585, 12580 and 12595.

AYES: Mayor O'Malley, Mayor Pro Tem Kerr, Councilmember Jones,  
Councilmember Mordo and Councilmember Warshawsky  
NOES: None  
ABSENT: None  
ABSTAIN: None

**MOTION SECONDED AND CARRIED:** Moved by Kerr, seconded by Jones and passed by the following roll call vote to direct the Pathways Committee to review the connector route between Hilltop and D3.1 as identified in the previous motion and to forward a recommendation to the Planning Commission as a General Plan Amendment.

AYES: Mayor O'Malley, Mayor Pro Tem Kerr, Councilmember Jones,  
Councilmember Mordo and Councilmember Warshawsky  
NOES: None  
ABSENT: None  
ABSTAIN: None

COUNCIL RECESSED 9:10 p.m.

COUNCIL RECONVENED TO OPEN SESSION AT 9:20 p.m.

### **SECTION (Study Zone) 12**

Chris Vargas, Pathways Chair, introduced this Section. Two areas in this segment had generated the most discussion: 1) East/West Sunset connection and West Sunset to La Rena connection (C2.3 and C2.8). Vargas noted that the design goal was to allow a downtown access to Dianne Drive and La Rena. Both C2.3 and C2.8 currently exist as foot paths and were deemed walkable and practical by the Pathways Committee. They recommended retaining the informal paths for future paths but because West Sunset was

a private road without public access, the paths would not be published nor identified as walking paths on any map until such time as it West Sunset became a public road. Vargas added that West Sunset, because of its curvy, winding topography, should be marked as a pedestrian only path. 2) C2.11a and C2.11b with the design goal to connect La Paloma to Robleda. The Pathways Committee had recommended to remove the path (shown in red) that bisected the property and to relocate it to the boundary of the property (shown in purple). Vargas noted that the Planning Commission had concurred with the Committees recommendation.

## OPENED PUBLIC HEARING

Les Earnest, Dianne Drive, suggested that C2.12b was a better route to connect Atherton Court with Brendell Drive. He did not believe the path between two driveways was too obtrusive.

Charles Bieber, 12800 W. Sunset, stated that the issue of public access on Sunset was complicated. He explained that an action of the Town in 1963 designated a section of West Sunset as a private road and he had obtained supporting legal opinions. He noted that East Sunset was a public road and as such is maintained by the Town.

Lalia Helmer, 12995 W. Sunset Drive, supported the red arrows (removal) on C3.4 and objected to the recommendation to retain C2.3 and C2.8 because they were located on a private drive. She voiced her concern that people walking this route would not stop when they reached West Sunset which was private with no public access.

Chris Vargas explained that the path would not be identified on any walking path map.

Judy Anderson, 13021 W. Sunset Drive, opposed any published path on West Sunset. She spoke to the dangerous size of the road and did not want to encourage people to use it as a pathway.

Gina Bertolino, 12851 W. Sunset, spoke in opposition to retaining C2.3 and C2.8 and requested Council consider removing them due to their invasive nature to her property and the narrow, steep road. She did not believe it was safe for pedestrians, equestrians or kids on bikes. Bertolino suggested that the release of the draft path map for review had created an increase in foot traffic in her area.

Larry Anderson, 13021 W. Sunset Drive, relayed to Council his background as a safety engineer and stated that the proposed path design was a potential for disaster. He suggested that it was ill advised to have paths end on roads that were not safe for pedestrians.

Chris Vargas, Pathways Chair, noted that he understood the concerns of the residents and he did not support publishing the paths or blue arrows on any walking map that would identify this as a path and he concurred with the residents that the any future path should be limited to pedestrians only.

Jolon Wagner, Pathways Committee, read from several letters that supported keeping paths in the area.

## CLOSED PUBLIC HEARING

Councilmember Jones supported the Pathways and Planning Commission's recommendations for Section (Study Zone) 12 and would not publicly identify the Sunset path until such time as the road became public and then as a "pedestrian only" path.

Councilmember Mordo concurred with the Planning Commission's recommendations with two exceptions: 1) he would retain the two blue arrows to preserve the right for a path if there was a future subdivision and 2) he would direct the Pathways Committee to seek a connection to Atherton Court in-lieu of C2.11b.

Mayor Pro Tem Kerr spoke in favor of directing the Pathways Committee to study a connection between Dianne and East Sunset.

Mayor O'Malley supported the Pathways Committee and Planning Commission's recommendations for Section (Study Zone) 12. He concurred with the suggestion that the Pathways Committee investigate a possible "swap" of easements with the property owner on C2.11b.

Councilmember Warshawsky supported the Pathways Committee and Planning Commission's recommendations for this segment and directing the Pathways Committee to review the connection from East Sunset to Dianne Drive and the potential connection through Atherton Court versus C2.11b

**MOTION SECONDED AND CARRIED:** Moved by Jones, seconded by Warshawsky and passed by the following roll call vote to accept the Planning Commission's recommendation for Section (Study Zone) 12.

AYES: Mayor O'Malley, Mayor Pro Tem Kerr, Councilmember Jones,  
Councilmember Mordo and Councilmember Warshawsky  
NOES: None  
ABSENT: None  
ABSTAIN: None

**MOTION SECONDED AND CARRIED:** Moved by Mordo, seconded by Kerr and passed by the following roll call vote to direct the Pathways Committee to investigate: 1) an alternative to C2.11b to Atherton Court and 2) a connection from East Sunset Drive to Dianne Drive.

AYES: Mayor O'Malley, Mayor Pro Tem Kerr, Councilmember Jones,  
Councilmember Mordo and Councilmember Warshawsky  
NOES: None  
ABSENT: None  
ABSTAIN: None

**SECTION (Study Zone) 4 – B3.12, B3.13, B3.34 only**

Councilmember Jones recused himself from consideration of B3.12, B3.13 and B3.34 due to the proximity of his residence and the potential for a conflict of interest.

Pathways Chair Chris Vargas had no comments on the identified paths.

**OPENED PUBLIC HEARING**

Patty Ciesla, Moody Court, requested that the Town improve the grade on B3.34 in the future. She encouraged the Council to remove the De Anza Trail from consideration at tonight's meeting and to reconsider it's location. She believed revised location would permit the Town to seek outside agency funding for the path.

**CLOSED PUBLIC HEARING**

**MOTION SECONDED AND CARRIED:** Moved by Warshawsky, seconded by Mordo and passed by the following roll call vote to accept the Planning Commission's recommendation for B3.12, B3.13 and B3.34 in Section (Study Zone) 4.

**AYES:** Mayor O'Malley, Mayor Pro Tem Kerr, Councilmember Mordo and Councilmember Warshawsky

**NOES:** None

**ABSENT:** None

**ABSTAIN:** Councilmember Jones

**SECTION (Study Zone) 4 – B3.22 only**

Councilmember Mordo recused himself from consideration of B3.22 due to the proximity of his residence and the potential for a conflict of interest.

Pathways Chair Chris Vargas explained that the Pathways Committee had recommended that B3.22 be marked as an orange path (no current plan to build a path). There was a redundancy issue however; they thought it might serve as a useful future connection.

Planning Commission Chair Bill Kerns explained that the Planning Commission, during their review process, had attempted to make decisions on all orange/yellow paths to retain or not retain the paths and had voted to remove B3.22 from the map because of redundancy and the steep terrain.

**OPENED PUBLIC HEARING**

Les Earnest, Dianne Drive, supported retaining B3.22. He believed it was a buildable path.

Patty Ciesla, Moody Court, supported retaining B3.22 for a future path. She noted that it was next to a creek and there were no privacy issues with the path.

Chris Vargas, Pathways Chair, agreed that this was a beautiful path but explained that the Pathways Committee was trying to be consistent with their principles of the review process and recommendations and they believed this was a redundant path, very steep and a wildlife refuge area.

#### CLOSED PUBLIC HEARING

Mayor Pro Tem Kerr noted that he was not familiar with the area but would support retaining the path for possible future use.

Councilmember Warshawsky concurred with the Pathways Committee's recommendation and supported removal of the path because of the redundancy issue.

Councilmember Jones concurred with Mayor Pro Tem Kerr and supported retaining the path because of its unique location near a creek.

Mayor O'Malley had walked the area, he noted that it was steep but a beautiful path and supported retaining it.

**MOTION SECONDED AND CARRIED:** Moved by Kerr, seconded by Jones and passed by the following roll call vote to retain B3.22.

**AYES:** Mayor O'Malley, Mayor Pro Tem Kerr and Councilmember Jones

**NOES:** Councilmember Warshawsky

**ABSENT:** None

**ABSTAIN:** Councilmember Mordo

#### **SECTION (Study Zone) 4 – Remainder**

Pathways Chair Chris Vargas offered that there were additional areas worthy of review in this segment. The Planning Commission had differed from the Pathways recommendation on B3.21b. The Committee had supported identifying this path in orange/yellow as a path where there was no current plan to build a path but should be retained as a future connection and the Planning Commission had voted to not retain B3.21b. Vargas explained that the design goal of B3.21d was to eventually connect to Taffee Road/ Elena and this was supported by the Planning Commission.

Vargas noted that A3.9 had also generated resident input. It was the connection between Zappetini Court and Central Drive. The Planning Commission had supported their recommendation and concurred with their recommendation to delete A3.5 which was redundant with A3.9 and bisected two lots.

#### OPENED PUBLIC HEARING

Bob Stutz, Pathways Committee, explained that the area being discussed was previously wide open grazing land.

Patty Ciesla, Moody Court, agreed with the red designation noting that this was an important wildlife corridor that connected to Byrne Preserve. She encouraged Council to

review wildlife corridors as another pathway designation when they complete their review of the path map. This would prevent fencing and provide open access for wildlife movement.

Les Earnest, Dianne Drive, believed that A3.9 was not a buildable path. He suggested that A3.5 should be “swaped” for another easement that would work.

Patty Ciesla, Moody Court, stated that it was her belief that A3.9 was buildable and that A3.5 was a wet marshland with numerous drains and pipes.

Carol Petty, 26932 Almaden Court, explained that she had spoken numerous times at different hearings on the proposed pathway behind her house. The neighbors agreed with her objection to the path because of the abundant animals in the area and would prefer a wildlife corridor.

Chris Vargas, Templeton Place, speaking as a resident, supported this area’s red designation noting the steepness of the terrain and the preponderance of wildlife in the area. (B3.21b)

Planning Commissioner Kerns explained that the Planning Commission were unanimous in their vote to remove this section and agreed with Vargas that the terrain was very steep and it would be better designated as a wildlife corridor.

Al Whaley, 26925 Taffee, spoke in favor of deleting B3.21b which was located in the rear of his property and was on a plus 100% grade and very isolated. He noted that he had a very nice path in front of his property.

Resident, Almaden Court, explained that he had nothing to say but because he had been sitting through the meeting all night he would speak to the large number wildlife in the area.

#### CLOSED PUBLIC HEARING

MOTION SECONDED AND CARRIED: Moved by Kerr, seconded by Jones and passed by the following roll call vote to accept the Planning Commission’s recommendation for the remainder of Section (Study Zone) 4.

AYES: Mayor O’Malley, Mayor Pro Tem Kerr, Councilmember Jones,  
Councilmember Mordo and Councilmember Warshawsky

NOES: None

ABSENT: None

ABSTAIN: None

MOTION SECONDED AND CARRIED: Moved by Warshawsky, seconded by Mordo and passed unanimously to direct the Pathways Committee to revisit A3.9.

#### **SECTION ( Study Zone) 18**

Pathways Chair Vargas reported that there was only one area in this segment that had generated discussion: D4.1, D4.2 and D4.2a. The Pathways Committee had supported



removal of D4.1 and D4.2 with the condition that two arrows connecting Fernhill to Magdalena be added to the map.

Planning Commission Chair Kerns explained that the Commission had been advised by staff that arrows represented subdivisions and since this was not a subdivision, they had voted to remove the arrows.

#### OPENED PUBLIC HEARING

Bob Stutz, Pathways Committee, expressed his concern of potential fires in the area and believed that D4.1 and D4.2 should be retained as an emergency exit.

Nancy Ginzton, Pathways Committee, explained that in reviewing Cluster 18 the Committee had sought an alternative route from Fernhill to Magdalena. She distributed a map of her proposed path to Council. Ginzton commented that the proposed path was not, in her opinion, intrusive and she would like it considered as an alternative to D4.1, D4.2.

Les Earnest, Dianne Drive, stated that he believed that it was essential to make a connection here to complete the route. He supported retaining D4.2 and returning the issue to the Pathways Committee for further discussion.

Bill Jarvis, 23923 Jabil, explained that his neighborhood was strongly opposed to D4.1 and D4.2 and hoped the Council would support the Planning Commission's recommendation. He noted that he had provided a petition to the Commission with 23 signatures. Jarvis offered safety, security and privacy concerns as his reasons for requesting the elimination of the path.

Nancy Ewald, Pathways Committee, advised that there were very few off-road paths in the area and believed that her Committee should look at the alternatives.

Patty Ciesla, Moody Court, favored giving residents off-road path options.

#### CLOSED PUBLIC HEARING

Councilmember Jones explained that he was conflicted with this segment. He believed that the pathways were important as connections within the Town and wanted to see all residents treated equally, however, he wanted to be fair to the residents who had spent time in numerous meetings giving their input. Jones would support the Planning Commission's recommendation for Segment 18, but because of the limited number of off-road paths in this area he recommended directing the Pathways Committee to investigate alternative routes to connect Fernhill and Magdalena.

Councilmember Mordo, favored removing D4.1 and retaining D4.2 and directing the Pathways Committee to find an alternative route to connect Fernhill to Magdalena.

**MOTION SECONDED AND CARRIED:** Moved by Jones, seconded by Kerr and passed by the following roll call vote to accept the Planning Commission's recommendations for Section (Study Zone)18.

AYES: Mayor O'Malley, Mayor Pro Tem Kerr, Councilmember Jones,  
Councilmember Mordo and Councilmember Warshawsky  
NOES: None  
ABSENT: None  
ABSTAIN: None

**MOTION SECONDED AND CARRIED:** Moved by Jones, seconded by Kerr and passed by the following roll call vote to direct the Pathways Committee to investigate the most advisable route between Fernhill and Magdalena and to forward their recommendation to the Planning Commission.

AYES: Mayor O'Malley, Mayor Pro Tem Kerr, Councilmember Jones,  
Councilmember Mordo and Councilmember Warshawsky  
NOES: None  
ABSENT: None  
ABSTAIN: None

### **SECTION (Study Zone)5**

Pathways Committee Chair Vargas explained that the key design goal for this section was a connection between Via Felice to Elena Road or Byrd Lane. Vargas noted that the initial Committee recommendation had been to use the combination of A2.2 and B2.6a but subsequent to their recommendation, they learned that B2.6a would bisect a property that was in the process of a lot merger. The Planning Commission selected B2.9, B2.10 with B2.6a as an alternative to the Pathways Committee's route. Vargas explained that the property owner of the parcels that are being merged was supportive of the path and was granting a path easement along his portion of B2.10. He was swapping B2.6a for B2.10. Vargas added that the Pathways Committee had voted to keep B2.11 but that the Planning Commission was recommending removal of B2.11.

Planning Commission Chair Kerns explained the Commission had felt that it was unfair for the property owner at B2.11 to have paths on four sides of his property. They also believed there were privacy issues and the topography of the site was very steep.

### **OPENED PUBLIC HEARING**

Pete Foley, 13124 Byrd Lane, opposed B2.11 explaining that the average slope on the proposed site was 45%. He noted that the path was very intrusive and redundant to the paths on Middle Fork.

Carol Gottlieb, 24290 Summerhill, explained that she was speaking on behalf of the path group that had walked the area. She concurred that this was a beautiful walk (B2.10) but that it was very invasive if it was continued as shown on the map and would eventually pass through a resident's carport.

Tom Cave, 1614 Shirley Avenue, Los Altos, addressed Council on behalf of the property owners at 13432 Middle Fork and 13466 North Fork which was the property being

bisected by B2.6a. He confirmed that the property owners had agreed to swap easements from the west side of the property to the east side (B2.10).

#### CLOSED PUBLIC HEARING

**MOTION SECONDED AND CARRIED:** Moved by Kerr, seconded by Warshawsky and passed by the following roll call vote to accept the Planning Commission's recommendations for Section (Study Zone) 5.

AYES: Mayor O'Malley, Mayor Pro Tem Kerr, Councilmember Jones,  
Councilmember Mordo and Councilmember Warshawsky  
NOES: None  
ABSENT: None  
ABSTAIN: None

**MOTION SECONDED AND CARRIED:** Moved by Kerr, seconded by Mordo and passed by the following roll call vote was to direct the Pathway Committee to investigate realigning B2.9, B2.6b and B2.10 consistent with the existing conditions in the area and the creek.

AYES: Mayor O'Malley, Mayor Pro Tem Kerr, Councilmember Jones,  
Councilmember Mordo and Councilmember Warshawsky  
NOES: None  
ABSENT: None  
ABSTAIN: None

#### **SECTION (Study Zone) 7**

Pathways Chair Chris Vargas explained that the design goal for this segment was to create some activity for the isolated areas between Purissima Road and La Cresta. The Pathways Committee suggested: 1) B1.4 a very walkable and non-intrusive path through a meadow and 2) B2.2a, B2.27. Vargas identified B2.2a as a problematic segment that was very steep with privacy issues and he believed it would not be a good connection to B2.2c and B2.2b. The Committee had proposed B2.27 and Vargas described the purple line that came off the shared driveway and was meant to deter residents from going to the end of the path into the private drive. Vargas explained that the red path was very intrusive but that the Committee was recommending the purple path, which followed the culvert and was less intrusive and more walkable.

#### OPENED PUBLIC HEARING

Robert Beese, 12827 La Cresta, opposed B2.27. He referred to a letter from his attorney that spoke to the negative effect the path would have on the value of his property with the loss of his privacy. The path paralleled his driveway and he noted that he had paths on three sides of his property. The path was not identified on his property when he purchased his home in 1978.

Pathways Chair Chris Vargas explained that the property was identified to have a path on one side or the other and the Committee was trying to make it the best location for the resident and as a neighborhood connection. He suggested that Council determine if they want a second connection between La Cresta and Purrissima and if they did, he believed this was the best route. Vargas explained that the map was a living document that was continuously changing with the addition and deletion of paths.

Nancy Ewald, Pathways Committee, explained that this was an area with few off-road paths and encouraged Council to take this in consideration when they deliberated.

#### CLOSED PUBLIC HEARING

Council discussion ensued. They requested clarification from the Planning Director on the proposed sewer maintenance road that could serve as an alternative route. Planning Director Cahill explained that the service road would be located in the center of the parcel at 27641 Purissima with a wide bridge that potentially could serve as the road for a subdivision.

**MOTION SECONDED AND CARRIED:** Moved by Mordo, seconded by Jones and passed by the following roll call vote to accept the Planning Commission's recommendations for Section (Study Zone) 7 with the following modifications: replacing B2.2c and B2.2b with blue arrows pointing east and west across 27641 Purissima Road and removing segments of B2.27 that runs north and south.

AYES: Mayor O'Malley, Mayor Pro Tem Kerr, Councilmember Jones,  
Councilmember Mordo and Councilmember Warshawsky  
NOES: None  
ABSENT: None  
ABSTAIN: None

#### **SECTION (Study Zone) 11**

Pathways Chair Chris Vargas explained that there were two areas of interest in this Section. The first area, C2.2 was identified by green, blue and purple lines on the map. Vargas explained that the current master path plan shows the path with the green and blue lines and is located in a very muddy area. The homeowner has suggested an exchange for the blue/green location in the muddy area to the purple path on his driveway at 13721. The second area of interest was C2.5 that the Committee recommended be retained and the Planning Commission supported.

#### OPENED PUBLIC HEARING

Les Earnest, Dianne Lane, requested that Council consider a path from Quail to Wildflower as a neighborhood connection.

## CLOSED PUBLIC HEARING

MOTION SECONDED AND CARRIED: Moved by Warshawsky, seconded by Mordo and passed by the following roll call vote to accept the Planning Commission's recommendations for Section (Study Zone) 11.

AYES: Mayor O'Malley, Mayor Pro Tem Kerr, Councilmember Jones,  
Councilmember Mordo and Councilmember Warshawsky  
NOES: None  
ABSENT: None  
ABSTAIN: None

## PUBLIC COMMENT

Art Bussi, 25980 Todd Lane, spoke in opposition of his off-road path explaining that his guest house was unusable due to its close proximity to the path. The path had been used by motorcyclists numerous times and he had reported this violation to the Town's Public Safety Officer Steve Garcia. Bussi offered that his attorney had written a letter to Council expressing his legal opinion that the paths were not legal because Todd Lane was private and the original dedication had been rejected. His attorney did not believe that partial acceptance, i.e. paths only was legal. Bussi had provided copies of the letter to Council in their boxes on the dais. He requested a copy of the City Attorney's legal opinion on public and private roads. City Attorney Mattas provided him a copy of the opinion.

### **SECTION (Study Zone) 9 – B2.28 only**

Councilmember Jones recused himself from consideration of B2.28 due to the proximity of his residence and the potential for a conflict of interest.

Pathways Chair Chris Vargas reported that the Pathways Committee had supported that B2.28 be converted to a full pathway.

Les Earnest, Dianne Drive, explained that it was his opinion that the paths along Pinewood, B2.28, B1.2b had path easements as defined by common law. City Attorney Steve Mattas clarified that they would have to review the deed documents to determine if what Mr. Earnest had described was accurate.

## OPENED PUBLIC HEARING

## CLOSED PUBLIC HEARING

MOTION SECONDED AND CARRIED: Moved by Kerr, seconded by Warshawsky and passed by the following roll call vote to accept the Planning Commission's recommendation for B 2.28 in Section (Study Zone) 9.

AYES: Mayor O'Malley, Mayor Pro Tem Kerr and Councilmember Mordo  
NOES: Councilmember Warshawsky  
ABSENT: None  
ABSTAIN: Councilmember Jones

### **SECTION (Study Zone) 9 – Remainder**

Pathways Committee Chair noted there was not much debate with the rest of the segment.

#### **OPENED PUBLIC HEARING**

Nancy Ewald, Pathways Committee, explained that she wanted to ensure that B1.9 was identified as a path only. She explained that the purpose of the Mandoli Court to Palo Hills and Mandoli Court to Alejandro design was to provide a path in the area noting that the area from La Cresta to Arastradero was void of paths. Ewald believed that the path routes would be safer and better than using Arastradero which is a very busy road.

Resident, 13434 Manoli Drive, spoke on B1.2a. She explained that part of the proposed path was not on an existing easement and described the access that was identified at the time of the subdivision forty (40) years ago which was along a public utility easement. She noted that part of the access for the proposed path was on her driveway that was used by her family and contiguous to her garage. She cited concerns of safety and privacy as her objection to B1.2a. The resident also voiced concerns about increased traffic.

Barry Newman, 13456 Mandoli, explained that he had concerns about the proposed path being used by the noon time walkers from the neighboring office complexes. He noted that Mandoli was a “jog” off of Deer Creek and they have a great deal of traffic from people making a wrong turn into their neighborhood.

Pathways Chair Chris Vargas offered that the issues described by the residents were valid concerns and there were real privacy issues. He suggested that a path would probably never be built unless a home was removed.

#### **CLOSED PUBLIC HEARING**

Council discussion ensued. Council offered that there was a potential for increased foot traffic from the office areas into the private cul-de-sac.

**MOTION SECONDED AND CARRIED:** Moved by Kerr, seconded by Jones and passed by the following roll call vote to accept the Planning Commission’s recommendation for Section (Study Zone) 9 with the exception that pathway segment B2.1a be removed from the Master Path Plan.

**AYES:** Mayor O’Malley, Mayor Pro Tem Kerr, Councilmember Jones,  
Councilmember Mordo and Councilmember Warshawsky

**NOES:** None

**ABSENT:** None

**ABSTAIN:** None

**COUNCIL RECESSED AT 12: 25 a.m.**

**COUNCIL RECONVENED TO OPEN SESSION AT 12:35 a.m.**

### **SECTION (Study Zone) 3 – A2.10b, A2.11 only**

Mayor O'Malley recused himself from consideration of A2.10b and A2.11 due to the proximity of his residence and the potential for a conflict of interest.

Pathways Chair Chris Vargas explained that the Pathways Committee and Planning Commissions concurred on the recommendations for the two identified segments

#### OPENED PUBLIC HEARING

Les Earnest, Dianne Drive, supported the red on A2.11.

#### CLOSED PUBLIC HEARING

MOTION SECONDED AND CARRIED: Moved by Jones, seconded by Warshawsky and passed by the following roll call vote to accept the Planning Commission's recommendations for A2.10 and A2.11 for Section (Study Zone) 3.

AYES: Mayor Pro Tem Kerr, Councilmember Jones, Councilmember Mordo and Councilmember Warshawsky  
NOES: None  
ABSENT: None  
ABSTAIN: Mayor O'Malley

#### **SECTION (Study Zone) 3 - Remainder**

Pathways Chair Chris Vargas explained that there had been few issues with this segment. He advised Council that the resident at A2.3d had indicated a willingness to donate his private pathway and that this was currently being explored by Town staff.

#### OPENED PUBLIC HEARING

Les Earnest, Dianne Drive, suggested that it would be appropriate to delete the paths that were identified in the unincorporated areas.

Patty Ciesla, Moody Court, recommended that the Council consider placing an arrow on A2.3c.

Carol Gottlieb, Summerhill Avenue, explained that there was a proposed trail on A2.3c but that no easement was accepted. She suggested arrows be placed through the property and that the property be retained for a path along Page Mill.

Connie Frenzel, 13311 Country Way, thanked the Council for their efforts. Her property was bordered on three sides by paths and requested that Council consider removing A2.7 because of it's redundancy to a neighboring path and privacy issues. She noted that her property is also bordered by a fire road that draws motorcyclists and cars and she was concerned that if the path was identified on a map it would bring additional traffic.

Brian Frenzel, 13311 Country Way, explained that he had attended numerous pathways meetings and hearings and that the residents in his neighborhood supported his request to remove A2.7.

Pathways Committee Chair Vargas explained that retention of A2.6 and A2.7 were not required as segments for a design goal for this Section.

#### CLOSED PUBIC HEARING

MOTION SECONDED AND CARRIED: Moved by Jones, seconded by Mordo and passed by the following roll call vote to accept the Planning Commission's recommendation for the remainder of Section (Study Zone) 3 with the exception of removing A2.7 from the Master Path Plan.

AYES: Mayor O'Malley, Mayor Pro Tem Kerr, Councilmember Jones,  
Councilmember Mordo and Councilmember Warshawsky  
NOES: None  
ABSENT: None  
ABSTAIN: None

MOTION SECONDED AND CARRIED: Moved by Jones, seconded by Mordo and passed by the following roll call vote to direct staff to investigate the fence as a code enforcement issue that is reported to block the path near A2.8.

AYES: Mayor O'Malley, Mayor Pro Tem Kerr, Councilmember Jones,  
Councilmember Mordo and Councilmember Warshawsky  
NOES: None  
ABSENT: None  
ABSTAIN: None

#### **SECTION (Study Zone) 1**

Pathways Chair Chris Vargas noted for Council that there was only one area in this Section where the Pathways Committee and Planning Commission had differed on their recommendations. The Committee had voted to retain A1.12 for emergency purposes only as a route out of Christopher's Lane and not as a walking path. The Planning Commission voted to remove the line because it was not designating a path.

#### OPENED PUBLIC HEARING

Les Earnest, Dianne Lane, offered that if the purpose of A1.14 was to connect to Stanford Lands there was a better route through the Hogle Land. He suggested a route that followed the access road and was less intrusive.

#### CLOSED PUBLIC HEARING



MOTION SECONDED AND CARRIED: Moved by Jones, seconded by Mordo and passed by the following roll call vote to accept the Planning Commission's recommendation for Section (Study Zone) 1.

AYES: Mayor O'Malley, Mayor Pro Tem Kerr, Councilmember Jones,  
Councilmember Mordo and Councilmember Warshawsky  
NOES: None  
ABSENT: None  
ABSTAIN: None

**SECTION (Study Zone) 6 – B2.21, B2.22a, B2.22b - only**

Councilmember Mordo recused himself from consideration of B2.21, B2.22a, B2.22b due to the proximity of his residence and the potential for a conflict of interest.

Pathways Chair Chris Vargas had no comment on this Section.

OPENED PUBLIC HEARING  
CLOSED PUBLIC HEARING

MOTION SECONDED AND CARRIED: Moved by Jones, seconded by Warshawsky and passed by the following roll call vote to accept the Planning Commission's recommendations for Section (Study Zone) 6 B2.21, B2.2a and B2.2b.

AYES: Mayor O'Malley, Mayor Pro Tem Kerr, Councilmember Jones, and  
Councilmember Warshawsky  
NOES: None  
ABSENT: None  
ABSTAIN: Councilmember Mordo

**SECTION (Study Zone) 6 – Remainder**

Pathways Chair Chris Vargas explained that the only area of discrepancy between the Pathways Committee and Planning Commission in this section was B2.3.b. The Committee had wished to identify this segment in orange as a possible future connection to Elena. Vargas explained that the Planning Commission in their efforts to make decisions on all orange paths had determined that it was a redundant path and voted to not retain the segment.

OPENED PUBLIC HEARING

Patty Ciesla, Moody Court, expressed her appreciation for B2.19.

CLOSED PUBLIC HEARING

MOTION SECONDED AND CARRIED: Moved by Jones, seconded by Kerr and passed by the following roll call vote to accept the Planning Commission's recommendation for the remainder of Section (Study Zone) 6.

AYES: Mayor O'Malley, Mayor Pro Tem Kerr, Councilmember Jones,  
Councilmember Mordo and Councilmember Warshawsky  
NOES: None  
ABSENT: None  
ABSTAIN: None

### **SECTION (Study Zone) 13**

Pathways Chair Chris Vargas stated that there was a concurrence between the Pathways Committee and Planning Commission on Section 13.

#### **OPENED PUBLIC HEARING**

Les Earnest, Dianne Drive, reported that the wonderful path at Foothill College had been removed and he believed there should be a connection. He advised that the map identifying a green path in this area was incorrect.

#### **CLOSED PUBLIC HEARING**

MOTION SECONDED AND CARRIED: Moved by Jones, seconded by Kerr and passed by the following roll call vote to approve Section (Study Zone) 13 as recommended by the Planning Commission.

AYES: Mayor O'Malley, Mayor Pro Tem Kerr, Councilmember Jones,  
Councilmember Mordo and Councilmember Warshawsky  
NOES: None  
ABSENT: None  
ABSTAIN: None

### **SECTION (Study Zone) 15**

Pathways Chair Chris Vargas acknowledged that there were no differences between the Pathways Committee recommendations and the Planning Commission's recommendations for this Section.

#### **OPENED PUBLIC HEARING**

Les Earnest, Dianne Drive, suggested that there were two errors on the map: 1) C2.16-line should run along the right edge of 13390 Lennox Way not into the Redwood Grove and 2) C2.17 was shown as a red arrow and should be retained because the Pathways Element says there should be a connection to Shoup Park.

#### **CLOSED PUBLIC HEARING**

Council discussed the map errors and concurred that they could be corrected administratively by staff.

**MOTION SECONDED AND CARRIED:** Moved by Jones, seconded by Mordo and passed by the following roll call vote to accept the Planning Commission's recommendations for Section (Study Zone) 15 and to direct staff to make the appropriate technical corrections as identified.

AYES: Mayor O'Malley, Mayor Pro Tem Kerr, Councilmember Jones,  
Councilmember Mordo and Councilmember Warshawsky  
NOES: None  
ABSENT: None  
ABSTAIN: None

**SECTION (Study Zone) 16**

Pathways Chair Chris Vargas noted that there were no issues on Section (Study Zone) 16.

**OPENED PUBLIC HEARING**

Les Earnest, Dianne Drive, supported retention of the purple arrow pointing into Foothill College.

Patty Ciesla, Moody Court, supported changing the arrow from red to purple under the Freeway.

**CLOSED PUBLIC HEARING**

**MOTION SECONDED AND CARRIED:** Moved by Jones, seconded by Kerr and passed by the following roll call vote to accept the Planning Commission's recommendations for Section (Study Zone) 16.

AYES: Mayor O'Malley, Mayor Pro Tem Kerr, Councilmember Jones,  
Councilmember Mordo and Councilmember Warshawsky  
NOES: None  
ABSENT: None  
ABSTAIN: None

**SECTION (Study Zone) 8**

Pathways Chair Chris Vargas noted that there was one Pathways Committee recommendation that had been changed by the Planning Commission. The Committee had recommended a path at B3.4 which was an access route into the Packard property Open Space. The path segment was between two neighbors on a driveway. The Commission had supported the residents' opposition and agreed to retain the original route.

Planning Commission Chair Kerns explained that they had listened to the residents presentation regarding the best route into the Packard land and voted to retain the original path. Kerns noted that they had also removed a brown arrow on the Sister's of Charity land because there was an existing emergency access route.

#### OPENED PUBLIC HEARING

Nancy Ginzton, Pathways Committee, urged the Council to consider moving B3.4 below the designation and onto the driveway.

Patty Ciesla, Moody Court, suggested that B3.8 be changed from red to blue.

#### CLOSED PUBLIC HEARING

MOTION SECONDED AND CARRIED: Moved by Mordo, seconded by Kerr and passed by the following roll call vote to accept the Planning Commission's recommendations for Section (Study Zone) 8.

AYES: Mayor O'Malley, Mayor Pro Tem Kerr, Councilmember Jones,  
Councilmember Mordo and Councilmember Warshawsky  
NOES: None  
ABSENT: None  
ABSTAIN: None

#### **SECTION (Study Zone) 10**

Pathways Committee Chair Chris Vargas acknowledged that there were no differences between the Pathways Committee and the Planning Commission recommendations for this section.

#### OPENED PUBLIC HEARING

#### CLOSED PUBLIC HEARING

MOTION SECONDED AND CARRIED: Moved by Jones, seconded by Warshawsky and passed by the following roll call vote to accept Section (Study Zone) 10 as recommended by the Planning Commission.

AYES: Mayor O'Malley, Mayor Pro Tem Kerr, Councilmember Jones,  
Councilmember Mordo and Councilmember Warshawsky  
NOES: None  
ABSENT: None  
ABSTAIN: None

MOTION SECONDED AND CARRIED: Moved by Kerr, seconded by Mordo and passed by the following roll call vote to eliminate the De Anza (Anza) trail alignment as presented in the 2005 Off-Road Path Plan dated 2/10/2005 Version 3.

AYES: Mayor O'Malley, Mayor Pro Tem Kerr, Councilmember Jones,  
Councilmember Mordo and Councilmember Warshawsky

NOES: None  
ABSENT: None  
ABSTAIN: None

Planning Director Cahill clarified that the De Anza trail alignment would be studied at a future date.

MOTION SECONDED AND CARRIED: Moved by Jones, seconded by Warshawsky and passed by the following roll call vote to adopt the Negative Declaration including the findings therein as presented.

AYES: Mayor O'Malley, Mayor Pro Tem Kerr, Councilmember Jones,  
Councilmember Mordo and Councilmember Warshawsky  
NOES: None  
ABSENT: None  
ABSTAIN: None

MOTION SECONDED AND CARRIED: Moved by Kerr, seconded by Warshawsky and passed by the following roll call vote to adopt Resolution No. 30-05 approving the Revised Master Path Plan and incorporating into the motion all of the preceding votes and abstentions on the 2005 Off-Road Path Plan dated 2/10/2005 Version 3.

AYES: Mayor O'Malley, Mayor Pro Tem Kerr, Councilmember Jones,  
Councilmember Mordo and Councilmember Warshawsky  
NOES: None  
ABSENT: None  
ABSTAIN: None

There being no further business, the meeting was adjourned by consensus of the Council at 1:50 a.m.

Respectfully submitted,

Karen Jost  
City Clerk

The minutes of the March 8, 2005 Special City Council Meeting were approved as presented at the April 7, 2005 Regular City Council Meeting.